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EXTRAORDINARY

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PART II—Section 3—Sub-Section (i)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION

(Department of Food)

ORDER

*New Delhi, the 18th November 1966*

**G.S.R. 1762.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the West Bengal Husking Machines (Control of Operation) Order, 1966.

(2) It extends to the whole of the State of West Bengal.

(3) It shall come into force with effect from the 20th November, 1966.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

(a) "cordoned area" means any area within the State of West Bengal, into or out of which transport or movement of rice or paddy is regulated by permits or otherwise under any law for the time being in force;

(b) "husking machine" means a rice mill coming within the meaning of clause (i) of section 3 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958), and belonging to that category of rice mills the owners of which are not duly authorised by licences or otherwise under

any order for the time being in force made under the Essential Commodities Act, 1955 (10 of 1955), or under any other enactment, to purchase paddy or sell rice, and which do not have arrangements for processing of paddy before milling and for cleaning of rice after milling;

(c) "milling rice", with its grammatical variations, means recovering rice or any product thereof from paddy with the aid of power;

(d) "owner", in relation to a husking machine, means the person who, or the authority which, has the ultimate control over the affairs connected with the husking machine, and where such affairs are entrusted to a manager, such manager shall be deemed to be the owner of the husking machine.

3. **Control of operation of husking machines.**—No person shall carry on the operation of milling rice in a husking machine at any place in the State of West Bengal which lies within a distance of five miles from the border of a cordoned area on either side of such border.

4. **Powers of entry, search, seizure etc.**—(1) The District Magistrate or the Deputy Commissioner of a district or any officer, not below the rank of Sub-Inspector of Food and Supplies in the Department of Food and Supplies, Government of West Bengal or any police officer not below the rank of Assistant Sub-Inspector or any other officer not below the rank of Assistant Sub-Inspector of Police duly authorized in this behalf by the District Magistrate or the Deputy Commissioner, as the case may be, may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

(a) inspect or cause to be inspected any book or document as well as any stock of rice or paddy belonging to or in the custody or possession of the owner of a husking machine and take or cause to be taken extracts from, or copies of, any such book or document;

(b) require the owner of a husking machine to give any information in his possession with respect to storage of rice or paddy;

(c) enter, inspect or break open and search with such aid or assistance as may be necessary, any place or premises where the operation of milling rice by a husking machine is carried on;

(d) seal a husking machine or remove any detachable part thereof if he has reason to believe that operation of milling rice is being or is about to be carried on in that husking machine in contravention of the provisions of this Order;

(e) search, seize and remove with such aid or assistance as may be necessary, the entire quantity of any stock of rice or paddy along with the packages, coverings or receptacles in which such stock is found if he has reason to suspect that the provisions of this Order have been, are being or are about to be contravened in respect of such stock or any part thereof and thereafter take or authorise the taking of all measures necessary for securing the production of the stocks of rice or paddy, packages, coverings or receptacles so seized in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this paragraph.

[No. 203(WB)(1)/DIR/911/66-PY. II.]

R. BALASUBRAMANIAN, Jt. Secy.

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